

# **SME DESIGN**

**MEDICAL DEVICE PRODUCT DEVELOPMENT**

January 6, 2000

Bert Mirsky  
President  
Bard Urology Division  
C.R. Bard  
8195 Industrial Blvd.  
Covington, GA. 30014

Dear Mr. Mirsky:


Please review the attached letter to Mr. Neil. It is self explanatory. I also want to voice my disappointment with respect to your conversation with Lee Hibbs. It appeared Lee may have been able to help resolve this issue. Apparently not, the conversation appears to have had a negative tone. Accordingly, I would appreciate it if you take care when talking about me, you do not know the facts or me enough to make judgements. You have no idea about my character, how against all odds I am a survivor and at all cost I'll honor my word.

I can only imagine that you've been kept in the dark about my efforts otherwise you would have a different outlook. You have no idea the sacrifice and loyalty I put forth. I was willing to bring my concepts and technology with me and join the BUD team and its resources. It's no secret that BUD has lots of troubles, that it is losing market share and talented people as the company value drops. At one time I wanted to help this cause, now I just want what is due me.

You had the opportunity to restore some level of integrity by taking charge of this situation, now I find myself dealing with people that I can not trust. The issue is more and more complicated now that my Trade Secrets has been divulged and the Soft Tip product line is successful. Additionally, if these issues are not addressed, BUD will be violating patents I am drafting and clash with opportunities under negotiation with other organizations.

I wish we could have met under better circumstances, but as indicated in my memo to Mr. Neil, BUD has 30 days to respond with a significant proposal that will address this issue. Contact me at 508 655 1044, 178 Boden Ln., Natick, MA 01760 with any further direction or this is my last communication and we will end up in court.

Sincerely,

  
Scott M. Epstein

cc: Gary Lambert: Lambert & Ricci; Boston MA

A.J. DeBartolomeo; Robins, Kaplan, Miller & Ceresi; San Francisco, CA

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